

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Thomas Michael Carpino	Case Number: 0980 2:01CR02075-001
Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge	
Date of Original Sentence: January 3, 2002	Type of Supervision: Supervised Release
Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922 (g) (1)	Date Supervision Commenced: October 17, 2012
Original Sentence: Prison - 72 M; TSR - 36 M	Date Supervision Expires: August 16, 2015

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 19 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 20 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

CAUSE

On March 17, 2014, Mr. Carpino reported to the U.S. Probation Office and admitted he allowed a person, whom he did not know was a convicted felon, drive him home after he had consumed several alcoholic beverages. The defendant advised the driver was pulled over for a traffic infraction and was subsequently arrested for possession of a firearm and possession of a controlled substance with intent to deliver. An incident report from the Yakima County Sheriff's Office confirmed the defendant's statement and revealed he was cooperative with officers during their investigation of the driver. When questioned about prior alcohol consumption, he advised he began to drink alcohol shortly after he chose to drop out of the Sobriety Treatment and Education Program in July 2013. He stated on his birthday, August 20, 2013, he consumed alcohol to excess, and was unable to walk up a flight of stairs on his own. Mr. Carpino advised that is when he knew he had an issue with alcohol. He mentioned he recognizes he needs to refrain from any further alcohol use, as it impairs his ability to think clearly and make good decisions. As a result of the aforementioned, Mr. Carpino has agreed to follow through with a 3-month relapse prevention program at Merit Resource Services in Yakima.

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Re: Carpino, Thomas Michael

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Based on the above information, this officer recommends the defendant's conditions of supervision be modified, as noted above. Enclosed is a waiver signed by the defendant agreeing to the proposed modification should Your Honor concur.

Respectfully submitted,

by s/Jose Vargas

Jose Vargas
U.S. Probation Officer
Date: April 2, 2014

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

May 9, 2014

Date

United States District Court**Eastern District of Washington****Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision as follows:

- 19 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 20 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

Witness:


Jose Vargas
U.S. Probation Officer

Signed:


Thomas Michael Carpino
Probationer or Supervised Releasee

4-2-14

Date